

AMENDED IN ASSEMBLY MAY 17, 2010

AMENDED IN ASSEMBLY APRIL 27, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2703**

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**Introduced by Assembly Member John A. Perez**

February 19, 2010

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An act to add Section 8879.79 to the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2703, as amended, John A. Perez. Federal transportation economic stimulus funds: 2nd round.

Existing law establishes special procedures and formulas for allocation and expenditure of federal transportation economic stimulus funds awarded to the state in 2009. Under these provisions, the Department of Transportation, with the approval of the Department of Finance, may make a loan or loans from a specified portion of those federal funds for the purpose of advancing projects meeting certain criteria that otherwise would be funded from the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, a general obligation bond measure approved by the voters in November 2006 as Proposition 1B.

This bill would provide similar authority to advance those projects with loans of federal funds awarded to the state in 2010 under the 2nd round of federal transportation economic stimulus funds. In order to be eligible for an advance, a project would need to have been programmed for Proposition 1B bond funds by ~~an unspecified date~~ *May 1, 2010*, and

be ready to be awarded within 90 days of federal apportionment. Upon repayment of the loans, these funds would be available for appropriation by the Legislature for the State Highway Operation and Protection Program.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8879.79 is added to the Government  
2 Code, to read:

3 8879.79. (a) The department, with the approval of the Director  
4 of Finance, may make a loan or loans from the State Highway  
5 Account of federal funds made available to it pursuant to the  
6 second round of federal transportation economic stimulus funds  
7 awarded to the state in 2010, for purposes of advancing a project,  
8 or a portion of a project, that has been programmed, on or before  
9        May 1, 2010, to be funded by Chapter 12.49 (commencing  
10 with Section 8879.20) and that is ready to be awarded within 90  
11 days of federal apportionment. The board, as defined in subdivision  
12 (a) of Section 8879.22, may request the department to make a loan  
13 or loans. The aggregate amount of the request shall not exceed the  
14 amount of the unsold bonds that the committee, as defined in  
15 subdivision (b) of Section 8879.22, has, by resolution, authorized  
16 to be sold, less any amount loaned pursuant to Section 8879.31 or  
17 8879.77 or withdrawn pursuant to Section 8879.32. Any amount  
18 loaned shall be deposited in the fund, as defined by subdivision  
19 (c) of Section 8879.22, and shall be transferred to the appropriate  
20 account for the project, or portion of a project, being advanced.  
21 The loan or loans shall be repaid without interest to the State  
22 Highway Account from the proceeds of bonds sold pursuant to  
23 Chapter 12.49 (commencing with Section 8879.20). The board  
24 shall execute any documents as required by the department to  
25 obtain and repay the loan or loans.

26 (b) Upon repayment of a loan made pursuant to subdivision (a),  
27 those funds shall be available for appropriation by the Legislature  
28 for the State Highway Operation and Protection Program.

1     SEC. 2. This act is an urgency statute necessary for the  
2 immediate preservation of the public peace, health, or safety within  
3 the meaning of Article IV of the Constitution and shall go into  
4 immediate effect. The facts constituting the necessity are:

5     In order to ensure that federal funds received in 2010 are  
6 expeditiously awarded to transportation projects, and to benefit  
7 job retention in California, it is necessary that this act take effect  
8 immediately.

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